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HAYWARD AREA RECREATION AND PARK  
DISTRICT and KEVIN HART

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH P. CUVIELLO and DENIZ  
BOLBOL, individually,

Plaintiff,

v.

ROWELL RANCH RODEO, INC.,  
HAYWARD AREA RECREATION AND  
PARK DISTRICT, HAYWARD AREA  
RECREATION AND PARK DISTRICT  
PUBLIC SAFETY MANAGER/RANGER  
KEVIN HART, and DOES 1 and 2, in  
their individually and official capacities,  
jointly and severally,

Defendants.

Case No. 3:23-cv-01652-VC

**PROOF OF SERVICE RE: DEFENDANTS'  
NOTICE OF CROSS MOTION AND CROSS  
MOTION FOR SUMMARY JUDGEMENT OR,  
IN THE ALTERNATIVE, SUMMARY  
ADJUDICATION AND OPPOSITION TO  
PLAINTIFFS JOINT MOTION FOR  
PARTIAL SUMMARY JUDGMENT;  
MEMORANDUM OF POINT AND  
AUTHORITIES (F.R.C.P. 56)**

Hon. Vince Chhabria

Date: August 15, 2024  
Time: 10:00 a.m.  
Ctrm: 4, 17<sup>th</sup> Floor

Trial: October 21, 2024

## CERTIFICATE OF SERVICE

I am a resident of the State of California, over 18 years of age and not a party to the within action. I am employed in the County of San Francisco; my business address is: 180 Montgomery Street, Suite 1200, San Francisco, CA 94104. On June 28, 2024, I served the within:

1. **DECLARATION OF NICHOLAS D. SYREN**
2. **DEFENDANTS' NOTICE OF CROSS MOTION AND CROSS MOTION FOR SUMMARY JUDGEMENT OR, IN THE ALTERNATIVE, SUMMARY ADJUDICATION AND OPPOSITION TO PLAINTIFFS JOINT MOTION FOR PARTIAL SUMMARY JUDGMENT; MEMORANDUM OF POINT AND AUTHORITIES (F.R.C.P. 56);**
3. **NOTICE OF MANUAL FILING/LODGING OF DIGITAL EXHIBIT IN SUPPORT OF DEFENDANTS' CROSS MOTION FOR SUMMARY JUDGEMENT OR, IN THE ALTERNATIVE, SUMMARY ADJUDICATION; MEMORANDUM OF POINT AND AUTHORITIES (F.R.C.P. 56);**
4. **DECLARATION OF NICHOLAS D. SYREN IN SUPPORT OF DEFENDANTS' CROSS MOTION FOR SUMMARY JUDGEMENT OR, IN THE ALTERNATIVE, SUMMARY ADJUDICATION AND OPPOSITION TO PLAINTIFFS' JOINT MOTION FOR PARTIAL SUMMARY JUDGMENT;**
5. **DECLARATION OF KEVIN HART IN SUPPORT OF DEFENDANTS HAYWARD AREA RECREATION AND PARK DISTRICT AND KEVIN HART'S CROSS MOTION FOR SUMMARY JUDGMENT, OR IN THE ALTERNATIVE, SUMMARY ADJUDICATION;**
6. **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANTS' CROSS MOTION FOR SUMMARY JUDGEMENT OR, IN THE ALTERNATIVE, SUMMARY ADJUDICATION; MEMORANDUM OF POINT AND AUTHORITIES (F.R.C.P. 56); AND**
7. **[PROPOSED] ORDER GRANTING DEFENDANTS' CROSS MOTION FOR SUMMARY JUDGEMENT OR, IN THE ALTERNATIVE, SUMMARY ADJUDICATION;**

on all parties in this action, as addressed below, by causing a true copy thereof to be distributed as follows:

SEE ATTACHED SERVICE LIST

- ☒ **By Overnight Delivery:** I enclosed the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the persons listed above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- ☒ **By E-Mail or Electronic Transmission:** Based on a court order or an agreement of the parties to accept service by email or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- ☒ **(FEDERAL)** I declare under the laws of the United States of America that I am employed in the office of a member of the Bar of this court at whose direction the service was made and that the foregoing is true and correct.

Executed on June 28, 2024, at San Francisco, California.



Danielle Costes

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